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JOHN D. POFFENBERGER  
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DAVID J. JOSEPHIC  
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THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN

**WOOD, HERRON & EVANS, L.L.P.**

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202-2917  
Telephone: 513-241-2324  
Facsimile: 513-421-7269  
EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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**GROUP 1**

**TO:** The Honorable Commissioner                   **FROM:** Beverly A. Lyman, Ph.D.  
Attention: Thomas c. McKenzie  
Art Unit 1624

**Fax No.:** (703) 872-9307

**Phone:** (513) 241-2324

**Date:** August 11, 2003

**Fax:** (513) 421-7269

**Pages (including cover page):** 110

**Re:** U.S. Serial No. 09/898,809 DYE-SULFENATES FOR DUAL PHOTOTHERAPY  
Attorney Docket No. MRD-63

**ATTACHMENTS/COMMENTS: OFFICIAL**

Please deliver to Thomas C. McKenzie

Amendment Transmittal (3 pages)

After Final Amendment (16 pages)

Copy of Alberts et al., *Molecular Biology of the Cell*, 2nd Ed., chapter 18, pp. 1006, 1016-1017, and 1030, Garland Publishing, Inc., New York, 1989 (6 pgs.)

Copy of Kuby, *Immunology*, W.H. Freeman and Co., New York, 1992, pp. 78-83 (8 pgs.)

Copy of Stryer, *Biochemistry*, 3rd Ed., W.H. Freeman & Co., N.Y., 1988, pp. 62, 298, 890-893 (8 pgs.)

Copy of Cayanis et al. (*J.Biol.Chem* 261 (1986), pp. 5094-5103) (10 pgs.)

Copy of Licha et al. (*SPIE* 3600 (1999), pp. 29-35) (7 pgs.)

Copy of Ballou et al. (*Cancer Immunology and Immunotherapy* 41 (1995) pp. 257-263) (7 pgs.)

Copy of Pellegrin et al. (*J. Cell Pharmacol.* 3 (1992, pp. 141-145) (5 pgs.)

Copy of Textbook of Biochemistry with Clinical Correlations, T.M. Devlin, John Wiley & Sons, New York, 1992, at least on pp. 67 and 70-71(5 pgs.)

Copy of Rohrer et al. (*Science* 282 (1998), pp. 737-740) (4 pgs.)

Copy of postcard stamped by the USPTO, specifically listing the Rajagopalan Declaration (1 pg.)

Copy of the prev. filed Rajagopalan Declaration and copies of pgs. from scientific references (29 pages)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted  
to the Patent and Trademark Office fax number (703) 872-9307 on the  
date shown below:

Rhonda A. Etienne  
Rhonda A. Etienne

August 11, 2003  
Date

Certificate of Facsimile

I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Thomas C. McKenzie whose telephone number is (703) 308-9806 and fax number is (703) 872-9307 on August 11, 2003.

Rhonda A. Etienne 8/11/03  
Rhonda A. Etienne Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 12 2003

**GROUP 1600**

Applicant(s): Raghavan Rajagopalan et al.  
Serial No.: 09/898,809  
Filed: July 3, 2001  
Group Art Unit: 1624  
Confirmation No.: 5120  
Examiner: McKenzie, Thomas C.  
Title: DYE-SULFENATES FOR DUAL PHOTOTHERAPY  
Our Ref. No.: MRD-63

**OFFICIAL**

Cincinnati, Ohio 45202

August 11, 2003

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AFTER FINAL AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.
2.  Small Entity status is claimed.  
 Other than a Small Entity.
3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	15	MINUS	30	= 0	x \$9	\$0	x \$18	\$0
INDEP.	2	MINUS	3	= 0	x \$42	\$0	x \$84	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$135	\$0	+ \$270	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X No additional fee for claims is required.

4. Attached is a check in the sum of \_\_\_\_\_.  
       Please charge my Deposit Account No. 23-3000 in the amount of  
       \$  
A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.  
 Complete (a) or (b) as applicable.

(a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
one month	\$ 110.00	\$ 55.00
two months	\$ 410.00	\$205.00
three months	\$ 930.00	\$465.00
four months	\$1,450.00	\$725.00

— Attached is a check in the amount of \$\_\_\_\_ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

— An extension for \_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_.

OR

(b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

Beverly A. Lyman

Beverly A. Lyman, Ph.D.  
Reg. No. 41,961

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
(513) 241-2324 - Voice  
(513) 421-7269 - Facsimile

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## Client/Matter: MRD-63

Please place the official stamp of the Patent and Trademark Office on this card and return it to constitute acknowledgment/receipt of the document(s) listed below by the Patent and Trademark Office on the date stamped.

Application for: DYE-SULFENATES FOR DUAL PHOTOTHERAPY  
Inventor(s): Rajagopal et al.  
Serial No.: 09/898,809  
Filed: July 3, 2001  
Art Unit: 1624  
Confirmation No.: 5120



Enclosures: Amendment Transmittal; Amendment; Certificate of Mailing; Declaration of Raghavan Rajagopal; Petition for 1 Month Extension of Time; Check for \$110.00 for 1 Month Extension of Time; and Return Postcard

Beverly A. Lyman, Esq. (Reg. No. 41,961)  
Wood, Herron & Evans, L.L.P.  
Dated: February 19, 2003